

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

In the Matter of L.C.

SEBASTIAN CORREA MORALES,

Petitioner,

– against –

JULIANA ESCOBAR RESTREPO,

Respondent.

HEARING ORDER

24-cv-07951 (NCM) (TAM)

NATASHA C. MERLE, United States District Judge:

Before the Court is petitioner’s Verified Petition for the Return of Child to Colombia (the “Petition”) against respondent pursuant to The Hague Convention on the Civil Aspects of International Child Abduction and the International Child Abduction Remedies Act (“ICARA”). ECF No. 1. **The two-day hearing on the Petition will proceed as scheduled on Monday, February 24 and Wednesday, February 26, 2025. Proceedings will commence at 9:30 a.m. and adjourn at 4:30 p.m. each day.**

The Court will not hear opening statements; each party will be afforded 20 minutes for closing statements. Examination will be limited to 5.5 hours for each party. The parties may only call a witness once. Accordingly, the Court will allow counsel to go beyond the scope of the direct examination on cross-examination to avoid the need for the witness to be recalled. Counsel shall ensure that each witness is present and ready to testify without delay.

Parties may, but are not required to, provide affidavits constituting the direct testimony of a witness. Any affidavit will operate as a direct substitute for the witness's live testimony; as such, the affidavit must attend to the Federal Rules of Evidence—for example, the Rules regarding hearsay—and authenticate any exhibits that will be offered through that witness's testimony. Any witness whose direct testimony is admitted by affidavit must be available for cross examination. In order to offer such an affidavit into evidence, counsel must bring an original, signed copy marked as an exhibit to the hearing, at which time counsel may make any objections to particular paragraphs of the affidavit. **The parties shall confer and inform the Court in writing by 5:00 p.m. on Sunday, February 23 whether any direct examination will be submitted through witness affidavit(s).**

Exhibits must be pre-marked, including slip sheets for audio or video exhibits. Parties are encouraged to use electronic copies of exhibits and shall ensure that the necessary equipment is working properly prior to the start of each day. If questioning a witness about more than one document, counsel shall provide all documents to the witness in a binder or folder to avoid the need to approach the witness for each exhibit.

The parties shall file post-hearing Proposed Findings of Fact and Conclusions of Law by Wednesday, March 5, 2025. The parties must meet and confer and file a joint submission identifying any and all factual findings and legal conclusions as to which there are no disputes. In addition to filing the separate and joint Proposed Findings of Fact and Conclusions of Law on the docket, the parties shall submit Microsoft Word copies of each document to Chambers via email by the same deadline. The proposed Findings of Fact shall be submitted in numbered paragraphs, one fact per paragraph. Each fact must be followed by citations to the hearing record, including

witness testimony and exhibits. The proposed Conclusions of Law shall also be submitted in numbered paragraphs, one legal conclusion per paragraph. Each legal conclusion must be followed by citations to the relevant legal authority.

SO ORDERED.

/s/ Natasha C. Merle
NATASHA C. MERLE
United States District Judge

Dated: February 20, 2025
Brooklyn, New York